

Interview Summary	Application No.		Applicant(s)	
	10/689,848		TYGARD, EDWARD	
	Examiner		Art Unit	
	James Keenan		3652	

All participants (applicant, applicant's representative, PTO personnel):

(1) James Keenan. (3) Edward Tygard.

(2) Michael Tobias. (4) Kip Tygard.

Date of Interview: 12 December 2006.

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.
If Yes, brief description: Brochure, picture, table showing sales figures (attached).

Claim(s) discussed: none specifically.

Identification of prior art discussed: Tygard, Kawamura, of record.

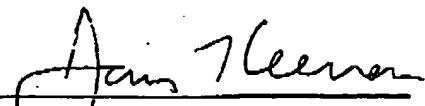
Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation Sheet (PTOL-413)

Application No. 10/689,848

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Advantages of the invention were demonstrated by applicant, including evidence of commercial success. Response to the rejection will be filed, along with affidavit/declaration, providing such evidence. Examiner suggested that further limiting the apparatus claims to a clamping apparatus for palletized loads and/or for use with in conjunction with a fork truck may be helpful in overcoming the rejection. no agreement was reached, but examiner indicated that any arguments and/or evidence presented would be given full consideration.

SALES OF "TYGARD CLAW" FOR 2000 - 2005

Year	No. of units sold	Type of model	% of units sold to beer or grocery industries
2000	30	old design	0
2001	36	old design	0
2002	38	old design	0
2003	52	new design	23% (12 units)
2004	58	new design	31% (18 units)
2005	64	new design	50% (32 units)
2006	data not yet available	new design	data not yet available